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(5/05)

**UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF MASSACHUSETTS**

United States of America

vs.

Michael Thomas D'Orlando

Docket No. 0863 4:24CR00104

**PETITION FOR ACTION ON CONDITIONS OF PRETRIAL RELEASE**

The undersigned U.S. Probation and Pretrial Services Officer presents this report regarding defendant Michael Thomas D'Orlando, who was placed under pretrial release supervision by the Honorable M. Kelley, on 10/10/2024 to a third-party custodian, Joanne D'Orlando, and under the following conditions:

1. Report to Probation and Pretrial Services as directed.
2. Maintain or actively seek employment.
3. Avoid all contact direct or indirect with any person or persons who may be a victim, or potential witness in the instant investigation or prosecution.
4. Do not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. 802, unless prescribed by a licensed medical practitioner.
5. Submit to any testing required by the pretrial services office or the supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.
6. Refrain from obstructing, attempt to obstruct, or tampering with the efficiency and accuracy of a prohibited substance screening or testing.
7. Participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services officer or supervising officer.
8. Sign releases of information for treatment providers to speak with Probation.

And respectfully seeks action by the Court and for cause as follows:

Following his release from custody on October 10, 2024, the Probation Office informed the defendant that we were concerned about his history of drug use, but he denied the need for increased treatment and strongly believed he would be able to maintain sobriety. Mr. D'Orlando was placed on the highest frequency for drug testing.

Mr. D'Orlando submitted drug tests on October 10, 2024 and October 22, 2024, both of which have resulted positive for cocaine and fentanyl. Mr. D'Orlando admitted to using just before his arrest for the instant case and then again last week. On October 25, 2024, Mr. D'Orlando reported to the Probation Office as directed and met with PO Skehill and his attorney, FDO Joshua Hayne.

The Probation Office expressed significant concern for the defendant's continued drug use and noncompliance. While he appeared to minimize his relapse, in collaboration with his attorney and third-party custodian, his mother, Ms. D'Orlando, he agreed to voluntarily secure an inpatient drug treatment placement. Mrs. D'Orlando proactively sought a home visit with a city of Malden substance abuse worker for later today, who would be able to assist the defendant with a treatment placement. The defendant was instructed to inform the Probation Office of any placement as soon as possible and in the event he was unsuccessful, he was instructed to report to the Probation Office on October 28, 2024.

It is noted that the defendant has a virtual hearing scheduled for November 1, 2024 in the Southern District of Iowa. Given that the defendant is cooperating with the Probation Office and willing to secure treatment, the Probation Office is requesting a summons at this time.

### **Petition for Action on Conditions of Pretrial Release**

PRAYING THE COURT WILL:

- ☐ Issue a warrant.
- ☒ Issue a summons for the defendant to appear for a show cause hearing.
- ☐ Other:

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on: 10/25/2024

Place: Boston, MA

/s/ Maria V. D'Addieco

Date: 10/25/2024

Maria V. D'Addieco  
Supervisor U.S. Probation Officer

### **ORDER OF COURT**

- ☐ Warrant to issue.
- ☐ Summons to issue. Clerk to schedule show cause hearing.
- ☐ Other:

Considered and ordered and ordered filed and made part of the record in the above case.

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Judicial Officer